

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kobi Iki et al.	Art Unit : 3739
Patent No. : 7,951,142	Examiner : Michael F. Peffley
Issue Date : May 31, 2011	Conf. No. : 4190
Serial No. : 10/766,894	
Filed : January 30, 2004	
Title : CARTILAGE TREATMENT PROBE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO DECISION ON REQUEST FOR RECONSIDERATION OF PATENT TERM
ADJUSTMENT AND NOTICE OF INTENT TO ISSUE CERTIFICATE OF CORRECTION

In a Decision on Request for Reconsideration of Patent Term Adjustment and Notice of Intent to Issue Certificate of Correction ("Decision") dated August 11, 2011, the United States Patent and Trademark Office ("Office") granted to the extent indicated herein Patentees' Application For Patent Term Adjustment (PTA) Under 37 C.F.R. § 1.705(d) filed August 1, 2011, for the above-indicated patent. The Office agreed to adjust a period of time corresponding to Applicant Delay, for a total Applicant Delay of 112 days. The Office did not agree that "B Delay" should not be reduced by 131 days for the period of time under which the application was not undergoing continued examination.

The Office Incorrectly Excluded a Period of Time from B Delay that Does Not Correspond to
Time Consumed by Continued Examination

The Decision stated that the patent is entitled to 886 days of PTA. Patentees maintain that the patent is entitled to 1,017 days of PTA, for the reasons provided below.

"A Delays" are defined as delays by the Office under 35 U.S.C. § 154(b)(1)(A), which guarantees prompt response by the Office. It is Patentees' understanding that there is no dispute that there were four periods of A Delay (March 31, 2005, to May 9, 2006; December 8, 2007, to November 17, 2008; June 27, 2009, to August 21, 2009; and March 24, 2010, to July 7, 2010) for a total of 913 days.

Adjustment date: 10/03/2011 10:00:00
09/13/2011 INTERF: 00002573 061055 10766894
CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: September 12, 2011.

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

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